Bolnick discloses a method and apparatus for arranging displayed graphical representations on a computer interface. A user is provided with access to a set of computer resources associated with repositionable graphical representations displayed by the graphical user interface. A display arrangement frame includes an area on the graphical user interface, and a set of frame-specific arrangement rules having a frame filtering criterion specifying at least one filtering property for limiting association of the computer resources with a frame.

Unlike the present invention, Bolnick is not concerned with retrieving information. In fact, Bolnick is non-analogous prior art. Bolnick discloses a system for arranging or displaying graphical data. Among other things, Bolnick does not disclose a "filter tree table," as recited in independent claims 1, 15, 25 and 37. The Patent Office relies upon the text at column 27, lines 6-7 to teach this limitation. Further, the Patent Office asserts that "it would have been obvious to one ordinary skill in the art at the time of the invention was made to include the frames structure as the tree table in order to provide the consistent of the data after filtering process [sic]." It appears that the Patent Office has simply reconstructed the claimed invention by using hindsight knowledge gleaned from Applicant's own disclosure, as discussed below.

First, the text relied upon by the Patent Office (e.g., column 27, lines 6-7) merely describes the steps for applying frame filter properties for an indexed frame to a currently indexed desktop item. See col. 26, line 63-col. 27, line 1. These steps are performed only after a set of desktop items in an image plane is enrolled to a set of frames of a layout associated with the image plane. In contrast, the filter tree table of claims 1, 15, 25 and 37 reflects possible user selection choices in a parametric filter. The filter tree table is used to generate filtering queries that are sent to an unfiltered data table for retrieving information. These filtering queries are employed to filter the data contained in the unfiltered data table. See paragraph 0030 of the specification.

Second, the Patent Office has not met its burden of establishing a *prime facie* case of obviousness. "To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references." See MPEP § 2142. The Patent Office's stated rationale is no more than a hindsight reliance on the teachings in the present application of the advantages of the present invention. The Bolnick reference does not expressly or impliedly suggest the claimed invention, and a skilled artisan would not have found the claim invention obvious in light of the Bolnick reference. Since Bolnick is not concerned with retrieving information (but rather arranging or displaying graphical data), it would have not been obvious to use a filter tree table in the system of Bolnick. Further, Bolnick does not disclose a parametric filter or an unfiltered data table.

Third, since it is not commonly known or well known in the art to use a filter tree table in a system for arranging displayed graphical representations, it is respectfully requested that the Patent Office cite a reference in support of its position. See MPEP § 2144.03.

Based on the foregoing remarks, claims 1, 15, 25 and 37 cannot be rendered obvious over the Bolnick reference, and the rejection of these claims should be withdrawn.

Dependent claims 2-14, 16-24, 26-36 and 38-48 depend on one of independent claims 1, 15, 25 and 37 and are submitted to be allowable for at least the same reasons discussed above with respect to claims 1, 15, 25 and 37.

In re Shiverick
Application No. 09/842,127
Amendment dated September 25, 2003
Reply to Office Action dated June 25, 2003

Applicant submits that the present application is now in condition for allowance.

Reconsideration and favorable action are earnestly requested.

RESPECTFULLY SUBMITTED,					
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